

REMARKS***Pending Claims***

Assuming entry of this amendment, claims 1 and 3-6 are still pending.

Claim Rejections - 35 USC § 112

The Examiner rejected claim 1 for indefiniteness. Two issues were raised:

First, the Examiner wrote that it was unclear which method steps the first instance of "automatically" referred to. This seems to have been a typographical problem in that the phrase "automatically, that is, independent of any required human intervention" landed in the preamble because of a failure to start a new line before it, such that the extra indentation of certain following claim elements would be seen to fall under the common "automatically ..." phrase. To correct this and make it obvious to the reader which steps the first "automatically" clause refers to, the steps and the clause have now been "grouped" into a single "paragraph," that is, claim element.

In combining claims 1, 9 and 12, the applicants also noticed that the phrase "associating the received report with the corresponding third party" was repeated in claim 12 and was therefore redundant. Only one occurrence of this claim element is now found in the amended claim 1.

Second, the Examiner wrote that the phrase "and in which" in claim 1 does not make grammatical sense. As presented in the previous amendment, the claim in question had the syntax and appearance:

"A ... method comprising A, B, ..., D, and ~~deleted element~~ in which: X, Y, Z, ..."
Making the deletion would have left:

"A ... method comprising A, B, ..., D, and in which: X, Y, Z, ..."

The applicants believe that the only possible grammatical objection to this must be the inclusion of the word "and" *after* the last element in the list, although they believe that most English speakers would not be so confused by this that they could not make

sense of the claim. Accordingly, claim 1 has been amended (line 14) so as to move the word "and" up to before the last element in the set before "in which." The syntax of this part of the claim is therefore now in the form:

"A ... method comprising A, B, ..., and D, in which: X, Y, Z, ..."

The applicants respectfully submit that this is grammatically unobjectionable.

Claim Rejections - 35 USC § 103

The Examiner rejected every claim but claim 12 under 35 U.S.C. 103(a) as being unpatentable over assorted prior art, including references discovered and cited for the first time in this fourth Office action. To move this application to allowance, the applicants have cancelled all but a claim that the Examiner indicated as being allowable. The applicants wish to note for the record, however, that the arguments they and an expert in the field have made explain why even the broader claims should be allowed. They therefore wish to reserve the right to obtain the broader coverage they deserve in a continuing application.

Allowable Subject Matter

The examiner indicated that claim 12 would be allowable if rewritten to overcome the §112 rejection and to include all of the limitations of its base claim (claim 1) and any intervening claims (claim 9 only). In addition to being amended to overcome the §112 rejection (see above), claim 1 now includes all the limitations of previous claims 1, 9 and 12 and should therefore now be allowable.

Dependent claims

Claims 3-6 depend from and therefore further limit the allowable subject matter of amended claim 1. These claims should therefore be allowable along with claim 1. Note that claim 3 has been amended in two ways. First, its claim dependency has been changed – claim 2 has been cancelled because it is redundant in light of a verbatim identical claim element in claim 12. Second, the previously submitted version of claim 3, line 3, referred to "report extracted data," which should be "extracted report data" to be consistent with the use of this phrase everywhere else.

Conclusion

The remaining independent claim has now been amended to meet the Examiner's stated requirements for allowability and should therefore now be allowable. The remaining claims depend from this allowable base claim and should therefore be allowable along with it.

Date: 6 March 2006

Respectfully submitted,

Jeffrey Pearce

34825 Sultan-Startup Rd.
Sultan, WA 98294
Phone & fax: (360) 793-6687

Jeffrey Pearce
Reg. No. 34,729
Attorney for the Applicant